



## IN THE CLAIMS

*Sub B1*

1. (Amended) A sheet sorting apparatus for adhering a marker to a predetermined sheet being output by an image processing apparatus, comprising:

- a tape feeder for pulling out a tape having a pressure sensitive adhesive on one side edge;
- a cutter for making the marker by cutting [the end of] the tape at a preset length;
- a guide for positioning the marker [to] at a predetermined position on the predetermined sheet; and
- a marker and sheet feeder for feeding the marker and the predetermined sheet in a partially overlapping position,

wherein the marker is adhered to the predetermined sheet by a predetermined pressure force as [they pass] the predetermined sheet passes through the marker and sheet feeder without requiring sensors to activate the cutter.

Claim 2, line 2, replace "lower" with --under--.

Claim 3, line 5, after "each" insert --said--; and

line 6, after "of" insert --said--.

Claim 4, line 1, delete "2, or 3,".

Claim 5, line 1, delete "2, 3, or 4,".

Claim 6, line 1, delete "2, 3, 4, or 5,".

*A3*

11. (Amended) A sheet sorting apparatus for adhering a marker to a predetermined sheet discharged from an image processing apparatus, comprising:

- a tape feeder for pulling out a tape having a pressure sensitive adhesive on one side edge;
- a guide for positioning the marker [to] at a predetermined position on the predetermined sheet; and
- a marker and sheet feeder for feeding the marker and the predetermined sheet in a partially overlapping position,

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wherein the marker is adhered to the predetermined sheet [by] with a predetermined pressure force as [they pass] the predetermined sheet passes through the marker and sheet feeder without an alignment assembly.

506B41 12. (Amended) An image processing apparatus comprising a sheet sorting apparatus for adhering a marker to a predetermined sheet discharged from the image processing apparatus, the sheet sorting apparatus comprising:

23 a tape feeder for pulling out a tape having a pressure sensitive adhesive on one side edge; a guide for positioning the marker [to] at a predetermined position on the predetermined sheet; and

a marker and sheet feeder for feeding the marker and the predetermined sheet in a partially overlapping position,

wherein the marker is adhered to the predetermined sheet by a predetermined pressure force as [they pass] the predetermined sheet passes through the marker and sheet feeder.

Claim 13, line 2, after "receiving" insert --the--.

### REMARKS

After entry of this Amendment, claims 1-13 are pending in the application and are presented for reconsideration.

Applicants note with appreciation that claims 3, 9, 10, 12, and 13 would be allowable if rewritten or amended to overcome the rejections under 35 USC 112, second paragraph.

Applicants respectfully submit that after entry of this Amendment, all of the pending claims are in condition for allowance.

By this Amendment, the specification, the abstract of the disclosure and claims 1-6 and 11-13 are amended. The amendments to the specification and claims do not introduce new matter, so their entry is respectfully requested. Support for the amendments of the specification may be found; for example, in the specification at page 10, lines 3-23. Support for the

amendments of claims 1, 11 and 12 may be found, for example, in the specification at page 2, line 14 to page 3, line 15, and at page 6, line 10 to page 8, line 20. A Supplemental Declaration referring to Japanese priority application No. 9-251485 with a correct filing date is also attached.

The specification was objected to for informalities, the abstract of the disclosure was objected to for using legal phraseology and claims 3-6 and 13 were objected to for informalities or as being in improper form because they are multiple dependent claims depending on a multiple dependent claim. The specification and claims have been amended to overcome the informalities, and the abstract of the disclosure has been replaced with an abstract that is clear, concise and descriptive of the disclosure. Thus, Applicants respectfully request withdrawal of the objections to the specification, claims 3-6 and 13, and the abstract of the disclosure.

Claims 1-3, 7-10, 12 and 13 were rejected under 35 USC 112, second paragraph, as being indefinite. This rejection is respectfully traversed in light of the amendments above to overcome the rejection. Applicants respectfully submit that the amended claims particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 1, 2 and 11 were rejected under 35 USC 102(b) as being anticipated by Clark, and claims 7 and 8 were rejected under 35 USC 103(a) as being unpatentable over Clark. These rejections are respectfully traversed in light of the amendments above and following discussion.

In particular, claim 1 has been amended to recite "wherein the marker is adhered to the predetermined sheet by a predetermined pressure force as the predetermined sheet passes through the marker and sheet feeder without requiring sensors to activate the cutter." Advantages of the claimed invention include the sheet sorting apparatus being much simpler, smaller and less expensive to build than Clark's.

In contrast, Clark requires a multitude of sensors as well as motors to react to those sensors. In particular, Clark requires a sensor to activate the cutter 39. Clark also requires an alignment roller unlike the claimed invention. See column 8, line 48 to column 10, line 48 and

column 13, lines 10-19. Therefore, Clark fails to teach all the features recited in claim 1 and claim 2, which depends from claim 1.

Claim 7 recites the additional feature of using a single motor. The Examiner asserts that it would have been obvious to use a single motor in place of the separate motors for feeder 38, cutter 39, guide 35, and feeder 41 taught by Clark. Applicants respectfully disagree. Clark teaches a separate sensor for each of the motors for feeder 38, cutter 39, guide 35 and feeder 41. Therefore, it would not be possible to use a single motor for all the sensor inputs used in Clark. Accordingly, Clark fails to teach or suggest this additional feature.

Claim 11 recites a sheet sorting apparatus wherein the marker is adhered to a predetermined sheet withough an alignment assembly. In contrast, Clark teaches an alignment assembly 35 for aligning a check with a marker 3. Therefore, Clark fails to teach all the features recited in Claim 11.

Accordingly, Applicants respectfully request withdrawal of the rejections of claims 1, 2 and 11 under 35 USC 102(b) and claims 7 and 8 under 35 USC 103(a).

Applicants respectfully submit that all of the pending claims are in condition for allowance, which action is requested.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952, referencing docket no. 163852016000. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

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